

EXHIBIT A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT ANDREW WITZKE,

Plaintiff,

CA: 21-11346

-vs-

HON:MATTHEW F. LEITMAN
MAG. DAVID R. GRAND

JORDAN RIECK; IAN HOWARD;
AARON KOWALSKI; CRAIG
WHITE; and ROBERT ALLEN
MCLEAN, in their individual
capacities for monetary damages;
and THE CITY OF MADISON
HEIGHTS, Michigan,

Defendants.

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AFFIDAVIT OF JORDAN RIECK

STATE OF MICHIGAN]

COUNTY OF OAKLAND] ss.

I, Jordan Rieck, depose and state as follows:

1. This Affidavit is based on my personal knowledge and, if sworn as a witness, I would testify as to the matters hereinafter set forth.

2. I am currently employed as a Road Patrol Supervisor with the City of Madison Heights and, on July 30, 2019, was assigned as an undercover detective with the Madison Heights Special Investigations Unit (“SIU”).

3. On that date, I was conducting surveillance, along with other members of the SIU, related to narcotics activity near Lincoln and Stephenson Highway in the City of Madison Heights.

4. We had received information that John Doe1 would be a passenger in a black Ford Fusion, driven by a male, and that he would be delivering methamphetamines in the area. We were also provided a license plate number for the Fusion.

5. At about 4:00 p.m., I observed a black Ford Fusion, matching the description provided by the informant, travelling in the area of Lincoln and Stephenson Highway, with a white male driving (who we later identified) and John

1 The name “John Doe” is used as Plaintiff served as a confidential informant in an arrest against this individual.

Doe sitting in the passenger seat.

6. We were able to confirm John Doe's identity through a photo obtained from a police database.

7. I, along with other members of the SIU, followed the Fusion as it drove on I-696W, ultimately arriving at Doe's trailer in Lansing.

8. Doe and the driver of the Fusion went inside the residence and, anticipating that Doe would return to Madison Heights to make another narcotics delivery, I, along with other members of the SIU, maintained surveillance near Doe's trailer.

9. Just before 8:00 p.m., Plaintiff Scott Witzke came out of Doe's trailer and got into the driver's seat of a Chevy Malibu. Doe and Witzke spoke inside the Malibu for several minutes before going back inside the trailer.

10. Dispatch ran the Chevy Malibu through the Law Enforcement Information Network ("LEIN"), which showed the vehicle was stolen out of Ohio.

11. The SIU followed Plaintiff as he exited the trailer park and got onto I-96E.

12. During this time, I was aware that Sgt. White was notifying the Michigan State Police that Plaintiff was driving a stolen vehicle so that a trooper could make an arrest.

13. As I continued to follow Plaintiff on the roadway, I saw him driving

very erratically, leaving his lane on several occasions.

14. In the area of I-696E and Orchard Lake, I watched from a distance as Michigan State Police Trooper Robert McLean stopped and arrested Plaintiff and searched his vehicle.

15. I later learned that methamphetamines were discovered in Plaintiff's trunk by the Michigan State Police Troopers during an inventory search prior the vehicle being impounded.

16. I was informed that Trooper McLean would be transporting Plaintiff to the MSP Metro North Post which, as I understand it, does not have the capacity to house detainees.

17. Uniformed Officer Aaron Kowalski and Officer Ian Howard of the Madison Heights PD were sent to the MSP Metro North Post to take custody of Plaintiff from the Michigan State Police related to Trooper McLean's arrest, and transport him back to the Madison Heights Police Department for lodging.

18. To the best of my knowledge, no separate arrest of Plaintiff by Officer Kowalski or Officer Howard occurred.

19. After Plaintiff was booked at the Madison Heights Police Department, I brought him to an interview room and advised him of his *Miranda* rights. Plaintiff indicated that he wanted to speak to me.

20. Plaintiff admitted that the methamphetamines that Trooper McLean

located inside his vehicle belonged to him and he intended to sell narcotics to other individuals.

21. Plaintiff made clear to me that he wanted to work as a confidential informant and offered information regarding narcotics activity and, specifically, information regarding John Doe.

22. Sgt. White and I discussed with Plaintiff that if he provided us with information relating to the narcotics arrests of three individuals, we would ensure that no charges were brought in relation to his July 30, 2019 arrest, which Plaintiff agreed to do.

23. Plaintiff offered information that John Doe would be receiving a package of methamphetamines in the mail on August 2, 2019 from Las Vegas.

24. Beginning the next day, on July 31, 2019, I drafted an Affidavit for Search Warrant with regard to this information with the intent that, if the information Plaintiff provided to me turned out to be accurate, he would be released from custody and no charges would be brought against him, pending the additional two narcotics arrests.

25. The Magistrate signed the Search Warrant on August 1, 2019 and the search warrant was executed at the time of the mail delivery on August 2, 2019, resulting in methamphetamines being seized from John Doe and the subject being arrested.

26. After execution of the Search Warrant, Plaintiff signed a confidential informant agreement and was released from jail, without any charges, pending the remaining two narcotics-related arrests.

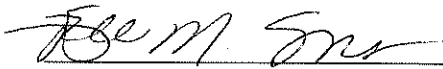
27. Despite Plaintiff's promise, he did not provide the agreed upon information and, after giving him ample opportunity to do so, on October 1, 2019, I submitted the police reports pertaining to Plaintiff's July 30, 2019 to the Oakland County Prosecutor's Office for a charging decision.

28. On October 2, 2019, Plaintiff was charged by the Prosecutor's Office with felony possession with intent to deliver methamphetamines.

Further affiant sayeth not.


JORDAN RIECK

Subscribed and sworn to before me on
this 1 day of March, 2023



Notary Public, Macomb/Oakland Co, MI
My Commission Expires: Feb 23, 2027

